

Monday December 4, 2023 at 9:30 AM
PLEASE MUTE YOUR MICROPHONE

Alanna Faith, Board Chair Elizabeth Kukla, Secretary

December 4, 2023

Preamble

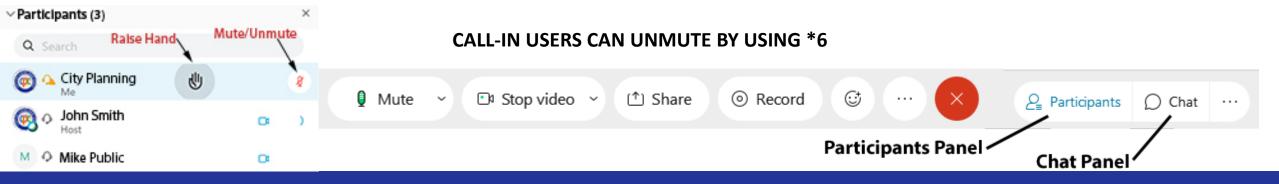
IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF THE CITY'S OPEN MEETING LAW, AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

All BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK.

WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.



Cleveland Board of Zoning Appeals December 4, 2023

Preamble

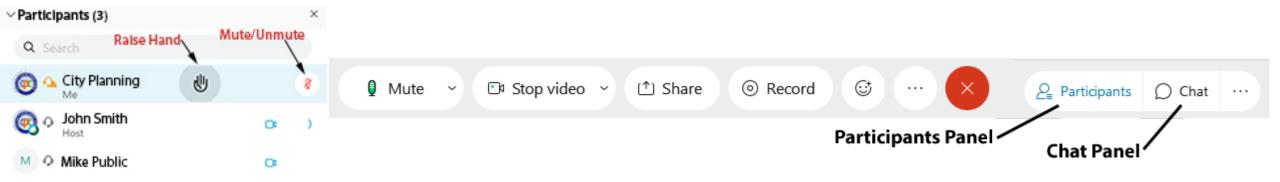
ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WEBEX PLATFORM.

THESE PROCEEDINGS ARE ALSO BEING <u>LIVE STREAMED</u> VIA YOUTUBE FOR PUBLIC VIEW.

WE HAVE PROVIDED A LINK TO THE MEETING FOR THOSE WHO WISH TO SPEAK ON A PARTICULAR CASE VIA OUR WEBSITE AND EMAIL.

ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER HAVE BEEN CONSIDERED.

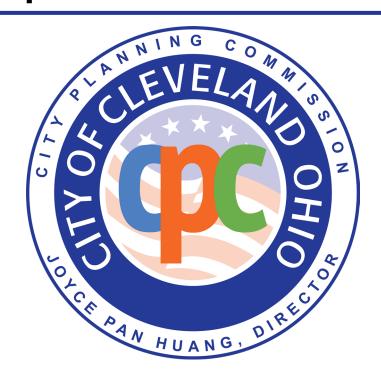
WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN COMMENT ON A PARTICULAR MATTER.



Call to Order & Roll Call



Postponements/Withdrawals





NONE TODAY

Public Hearing



Public Hearing

Calendar No. 23-194:

1390 West 85th St.

Ward 15

Virgil and Felicia Tent, propose to establish use as garage/storage in a C1 Local Retail Business District. The owners appeal for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1.Section 343.01(b) which states that primary use of premises garage and storage is not permitted in Local Retail Business District as it is first permitted in a Semi-Industry District.





Calendar No. 23-194:

1390 West 85th St.

Ward 15



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with <u>I DO,YOUR NAME and YOUR ADDRESS.</u>

Calendar No. 23-194:

1390 West 85th St.

Ward 15



HISTORY OF THE PROPERTY



Calendar No. 23-194:

1390 West 85th St.

Ward 15



LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance from the requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

- 1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
- 2. Will deprive the Appellant of substantial property rights; and
- 3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

Calendar No. 23-194: 1390 West 85th St.

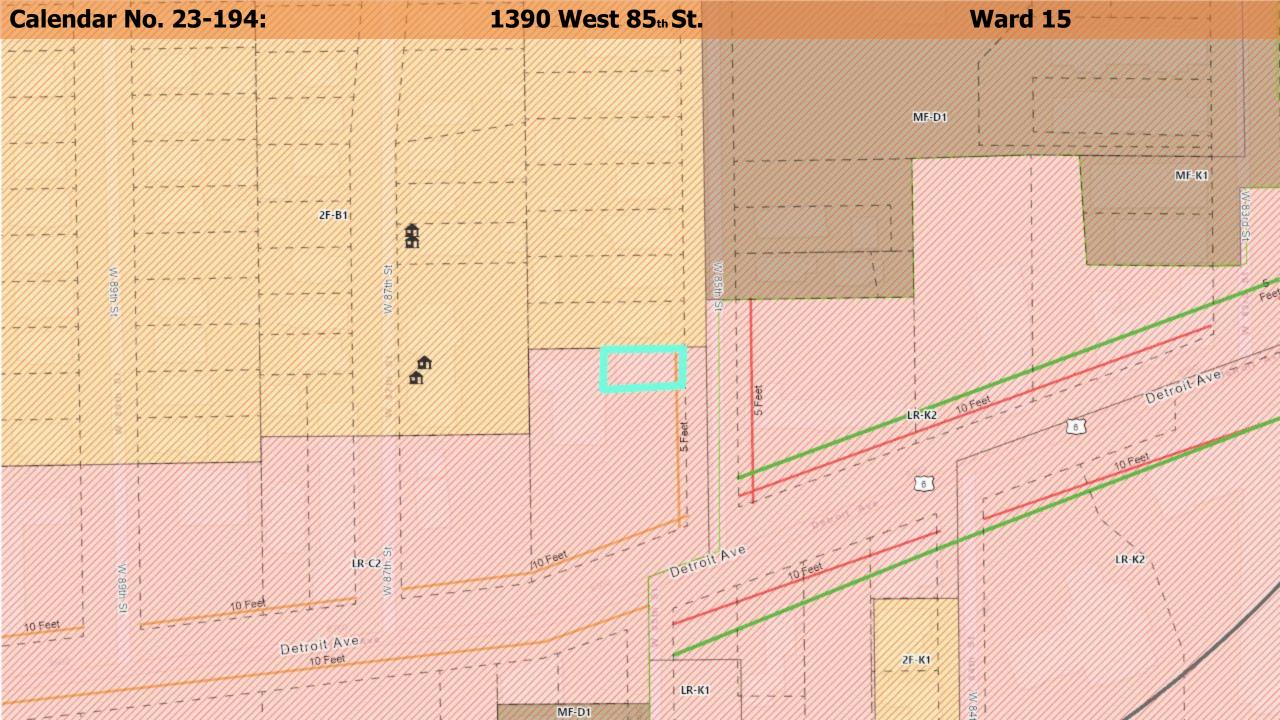




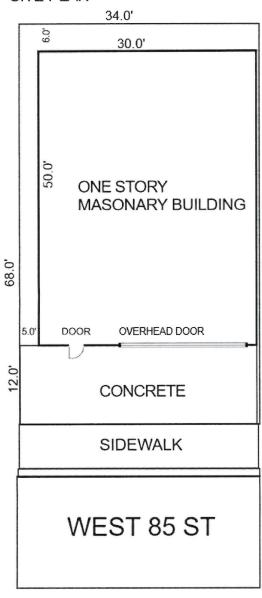








1390 West 85 St Cleveland Ohio 44102 SITE PLAN



Public Hearing

Calendar No. 23-196:

17408 Schenely Ave.

Ward 8

Tom Jarboe, owner, proposes to erect an 18' x 13' split level wolmanized wooden deck attached to existing single-family residence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:





Calendar No. 23-196:

17408 Schenely Ave.

Ward 8



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with <u>I DO,YOUR NAME and YOUR ADDRESS.</u>

Calendar No. 23-196:

17408 Schenely Ave.

Ward 8



HISTORY OF THE PROPERTY



Calendar No. 23-196:

17408 Schenely Ave.

Ward 8



LEGAL STANDARD

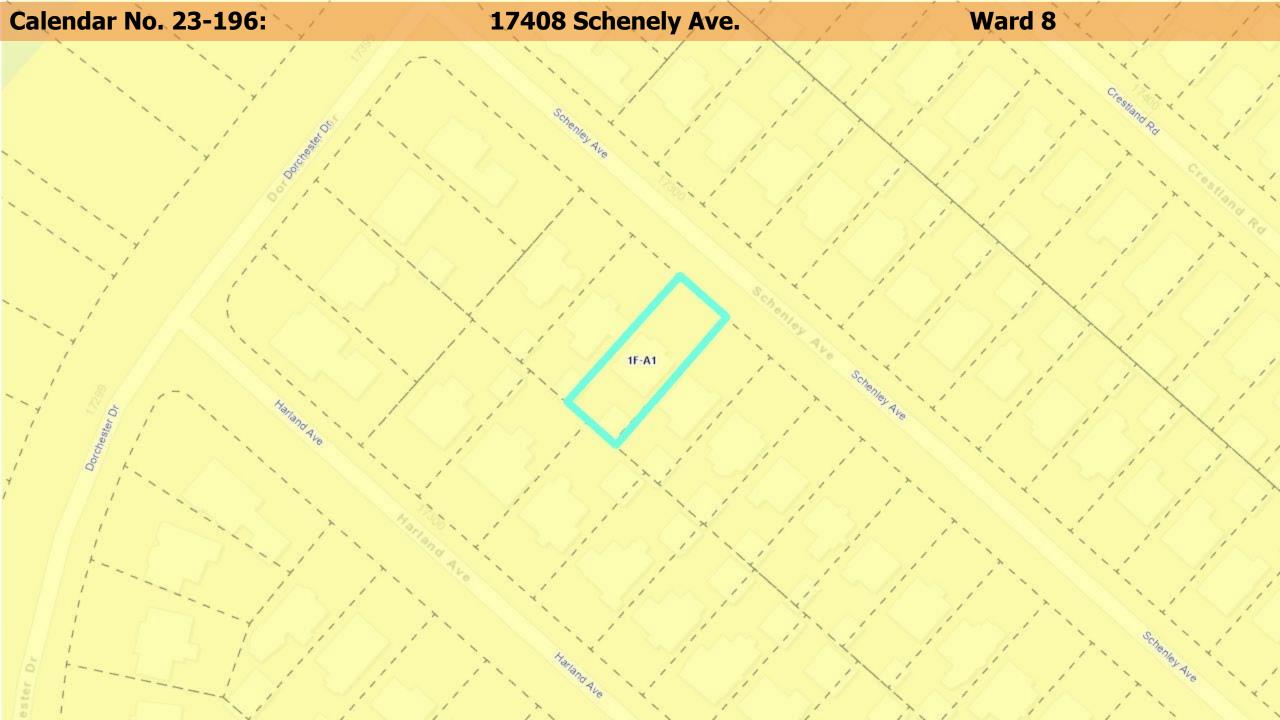
Madam Chair, Members of the Board, Appellant is requesting an area variance from the minimum required interior side yard requirements of the zoning code.

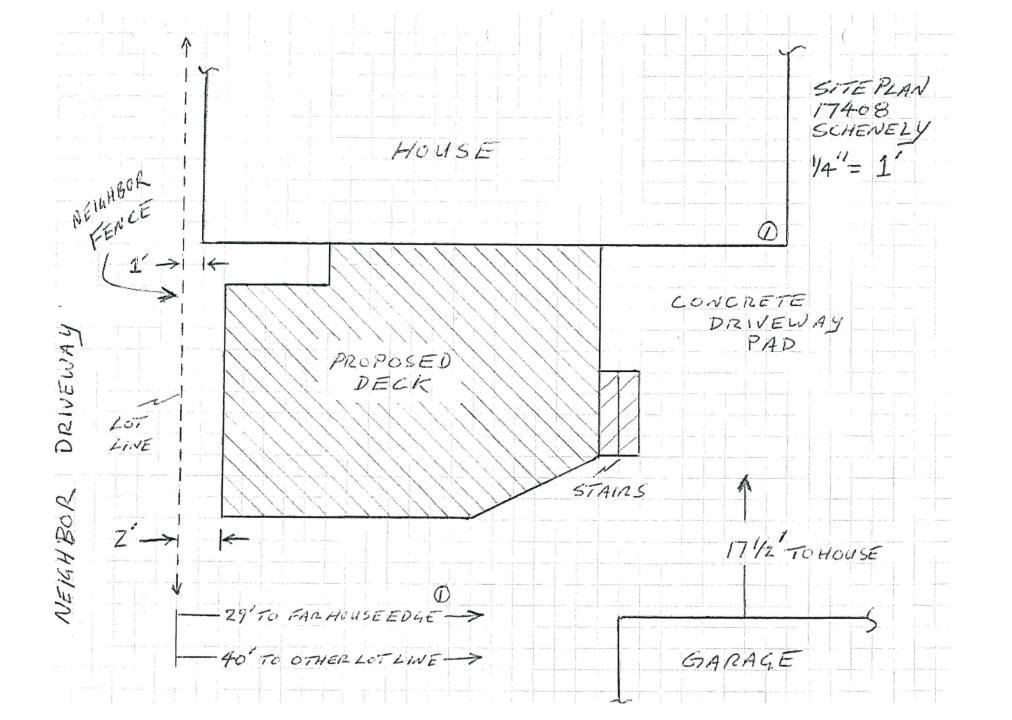
To obtain the area variance, Appellant must prove that denying the request:

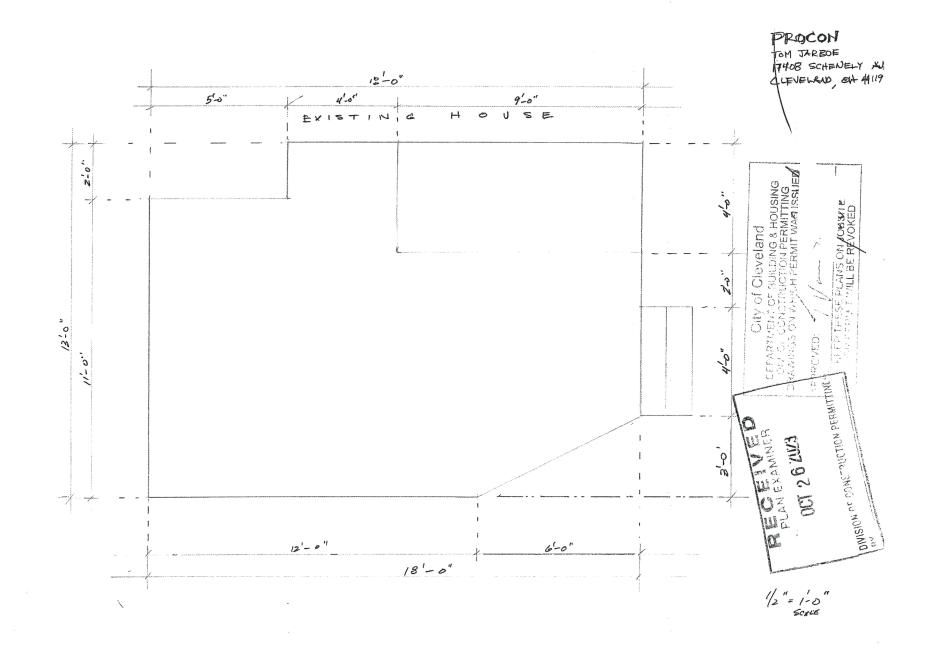
- 1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
- 2. Will deprive the Appellant of substantial property rights; and
- 3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

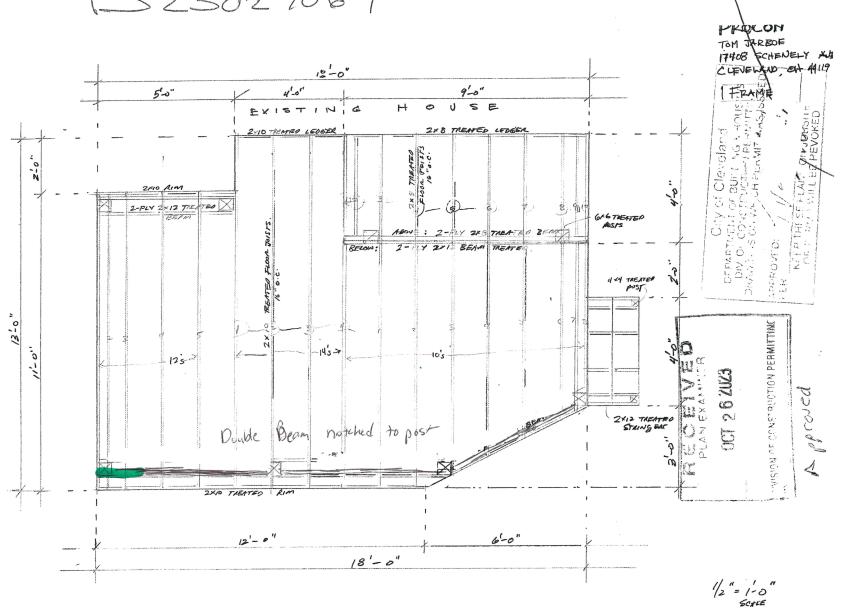


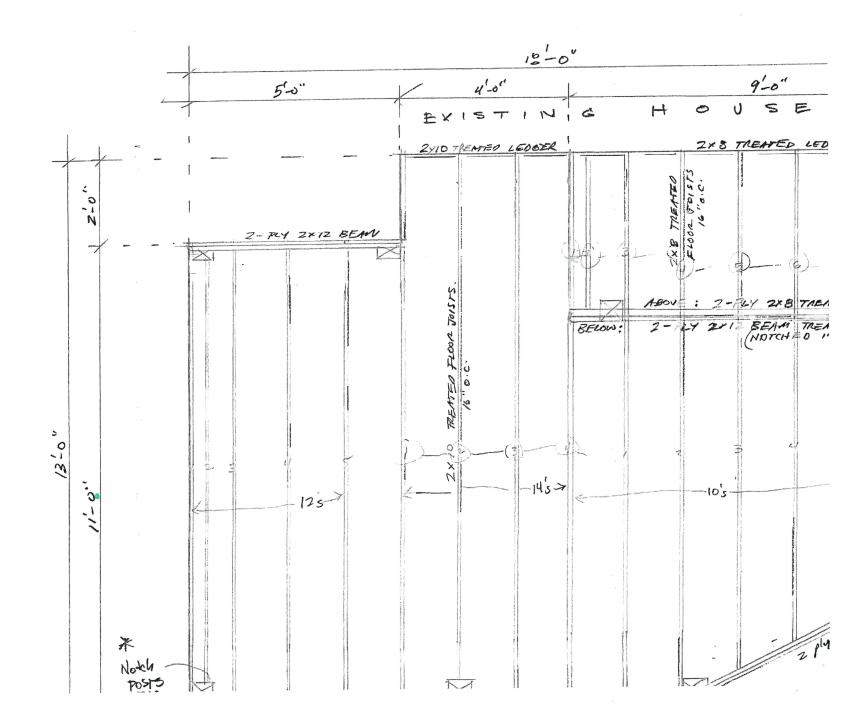


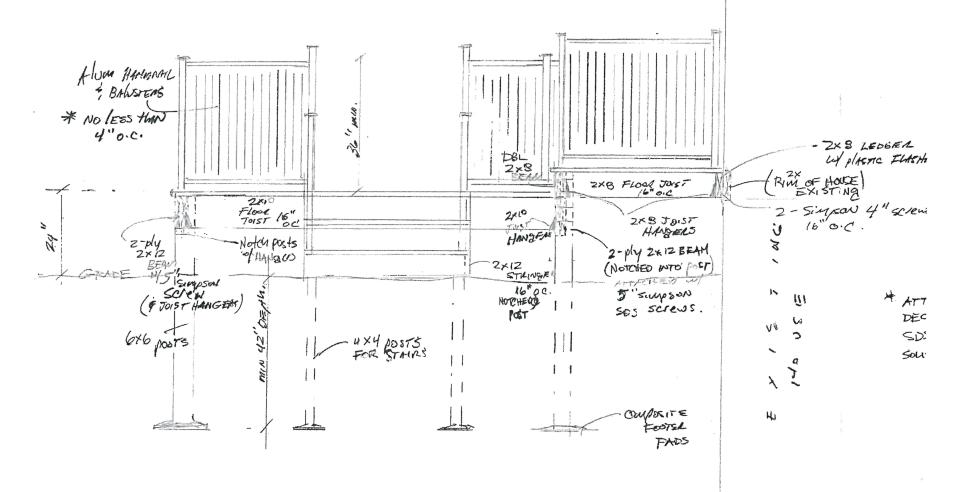




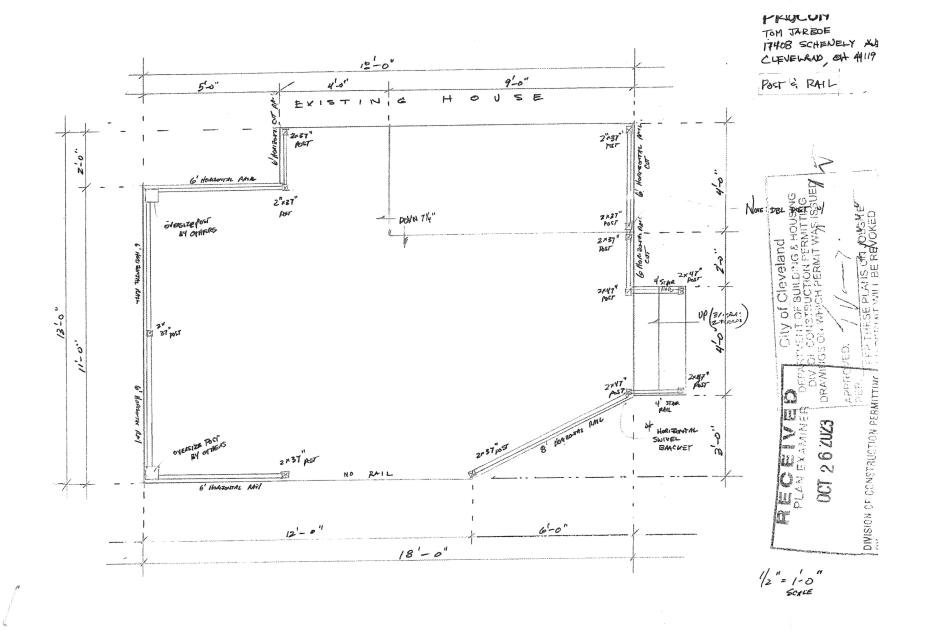








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Public Hearing

Calendar No. 23-197:

1950 West 3rd Street

Ward 3

Starlins Stone LLC, owner, proposes to install temporary trailers and use premises for material and equipment outside storage in a B3 General Industry Zoning District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1.Section 349.07(a) which states that accessory off-street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition. No drainage or specific paving detail shown. Driveway and aprons must also be shown on plan.





Calendar No. 23-197:

1950 West 3rd Street

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with <u>I DO,YOUR NAME and YOUR ADDRESS.</u>

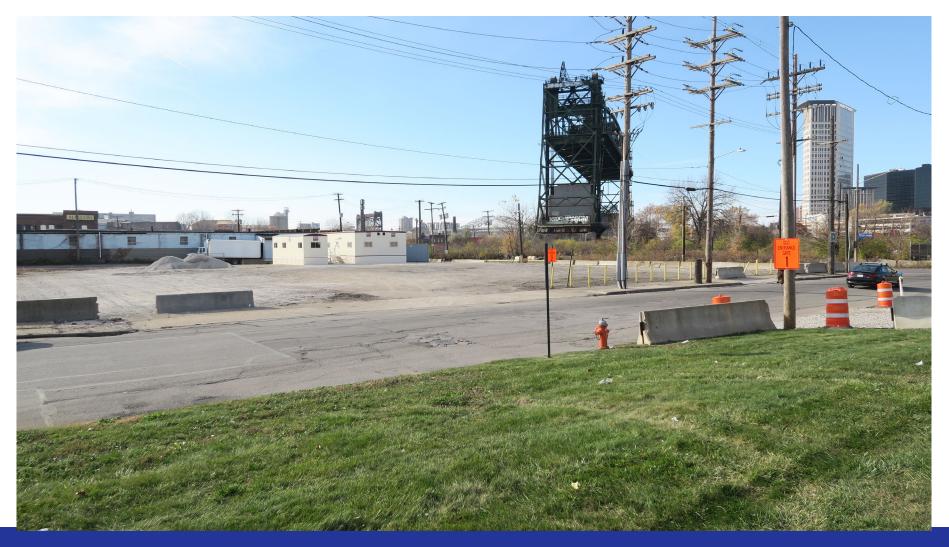
Calendar No. 23-197:

1950 West 3rd Street

Ward 3



HISTORY OF THE PROPERTY



Calendar No. 23-197:

1950 West 3rd Street

Ward 3



LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the drainage requirements of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

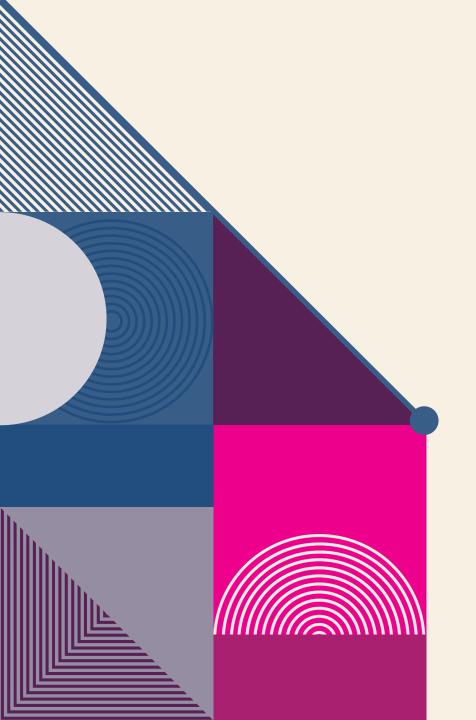
- 1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
- 2. Will deprive the Appellant of substantial property rights; and
- 3. That granting the variance will not be contrary to the purpose and intent of the zoning code.













THE GREAT LAKES CONSTRUCTION CO.

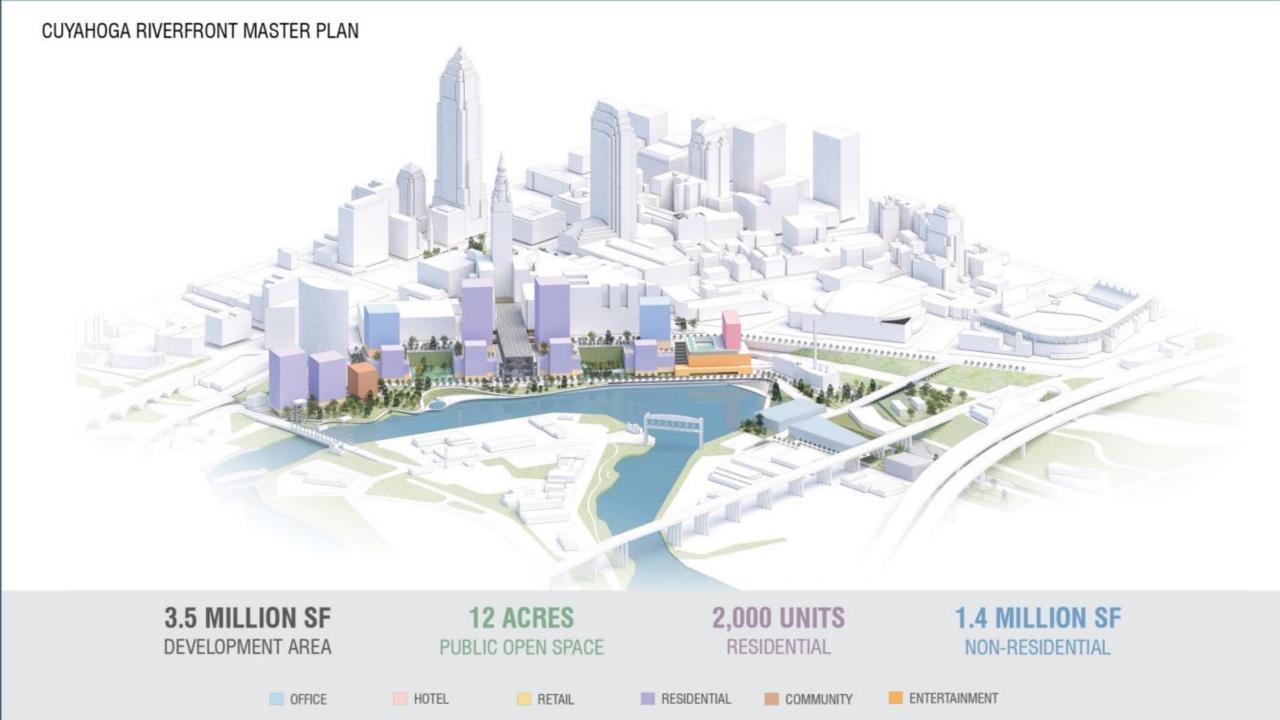
Board of Zoning Appeals,

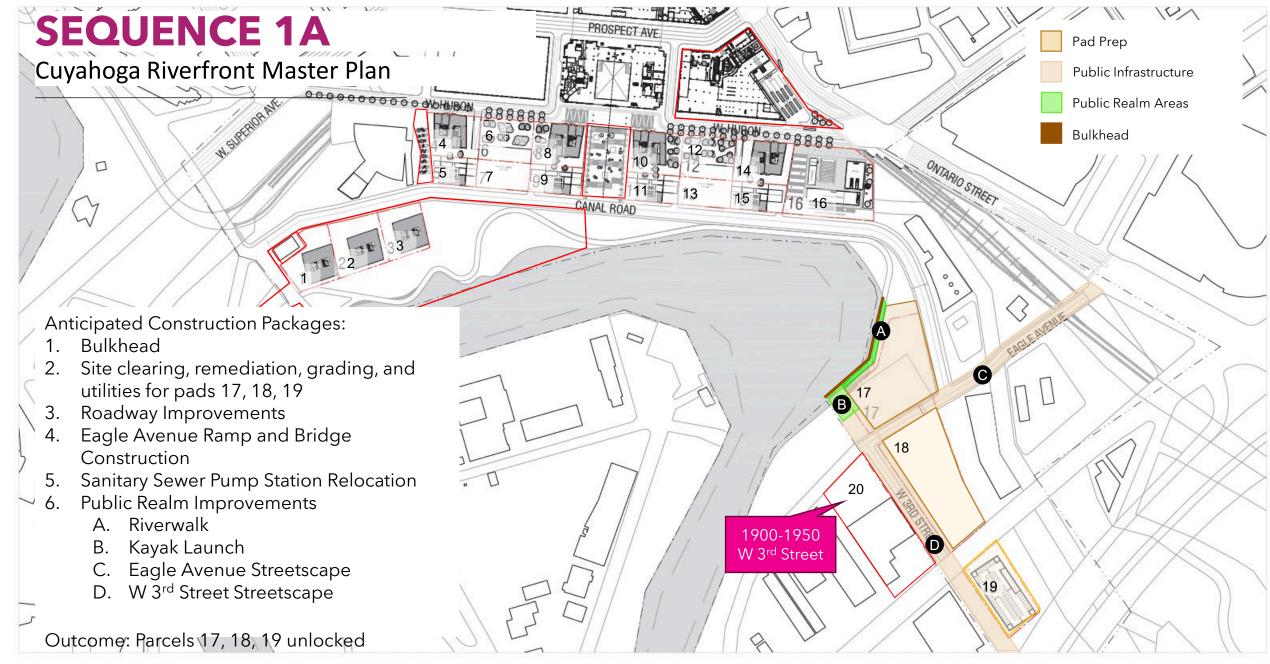
We, The Great Lakes Construction Co., acting as an agent on behalf of Starling Stone LLC ("Bedrock"), owner of 1900-1950 W 3rd Street (PPN 10130001), is requesting a temporary use of the property at 1900-1950 W 3rd Street for parking and field office space to support the enabling infrastructure construction for Sequence 1A of the Cuyahoga Riverfront Master Plan as approved through Planning Commission in May 2023.

1900-1950 W 3rd Street was acquired in July 2023 and is envisioned to be a part of the future development of the Cuyahoga Riverfront Master Plan. The due diligence for such development is undergoing. In the interim, we, on behalf of Starling Stone LLC, are requesting a temporary variance to establish a construction field office to support approved development activities

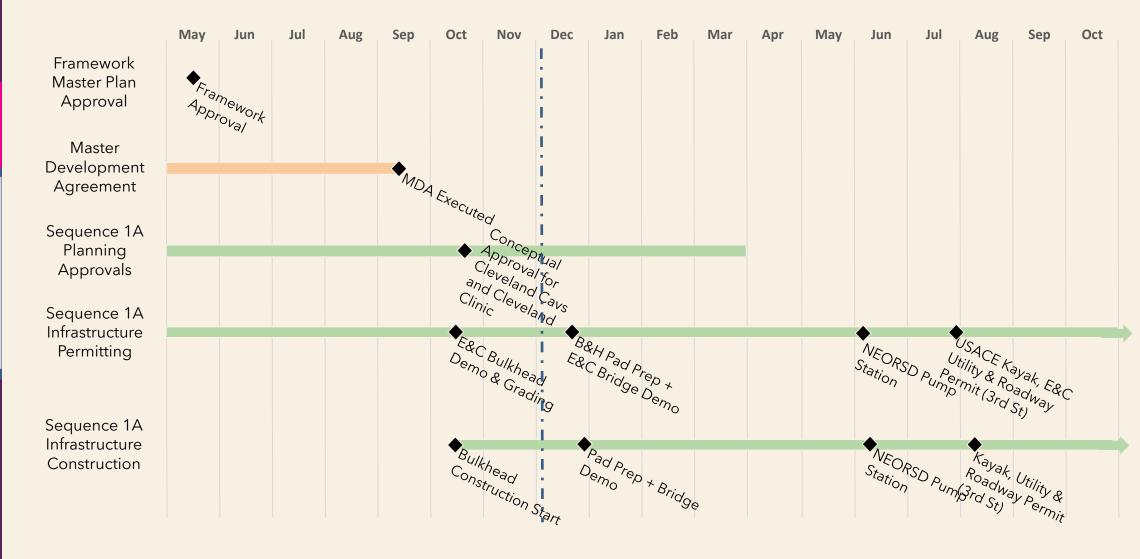
We have developed a plan that utilizes the existing conditions. See the following exhibits. The plan would be to use this area as the initial base of operations as the Cuyahoga Riverfront Master Plan progresses.

Thank you, Great Lakes Construction Co.





CUYAHOGA RIVERFRONT MASTER PLAN TIMELINE



BOARD OF ZONING APPEALS DECEMBER 4, 2023

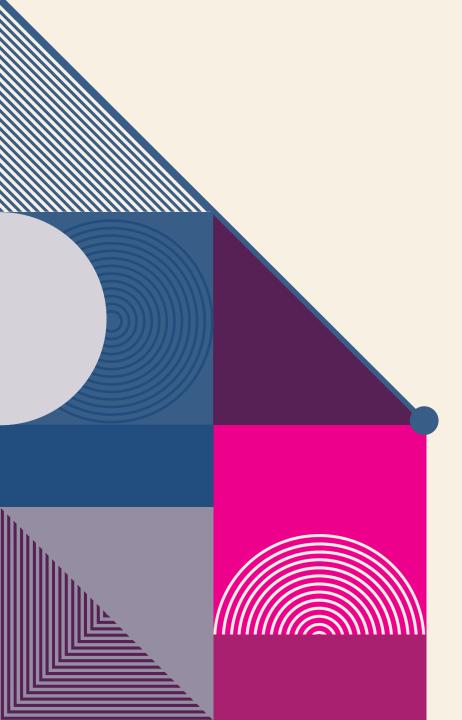
Calendar No. 23-197:

1950 West 3rd Street

Ward 3 Kerry McCormack

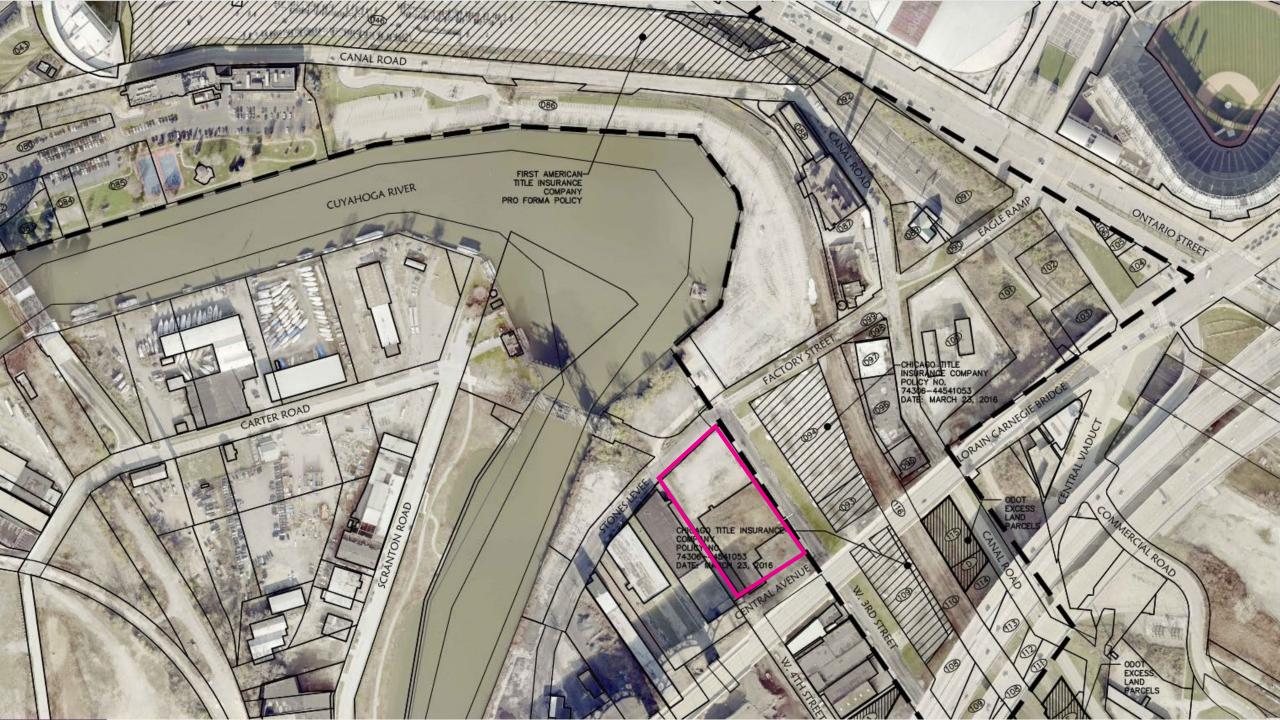
Starlins Stone LLC, owner, proposes to install temporary trailers and use premises for material and equipment outside storage in a B3 General Industry Zoning District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

 Section 349.07(a) which states that accessory off-street parking spaces, driveways and vehicle maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, and surfaced with concrete, asphalt, or other acceptable paving material maintained in good condition. No drainage or specific paving detail shown. Driveway and aprons must also be shown on plan.



Factors that the Board may consider for granting a variance include but are not limited to:

- Whether the property will yield a reasonable return or whether there can be any beneficial use of the property without the variance; With this variance, this property will provide supporting beneficial use to the development of the adjacent properties.
- o) If the variance is substantial- a large extent of size, area, distance, etc.; We are not requesting a substantial variance in regards to the existing zoning.
- Whether the essential character of the neighborhood would be substantially altered, or adjoining properties would suffer a substantial detriment as a result of the variance; This variance will provide Bedrock the opportunity to more readily improve the adjacent properties to the east of West 3rd street along with the subject parcel. The proposed use is permitted under the current zoning so adjoining properties will not suffer any detriment due to the use. Added security measures and lighting will be added to provide additional benefits to the public and private adjoining parcels.
- d) If the variance would adversely affect the delivery of governmental services safety forces, water, sewer, garbage collection, etc.; We see no adverse affects to any public services due to this variance.
- e) Was the property purchased with knowledge of the zoning restriction; As this was previously used for parking and has established aprons and entrances, the zoning requirements were not known to cause any such restrictions.
-) Whether the predicament feasibly may be resolved through some method other than a variance; There does not appear to be an alternative method for resolution.
- Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance. Because the proposed use is permitted under the current zoning, existing driveway aprons will be utilized, stormwater runoff will be prevented from leaving the property, the surface of the property will be stabilized and maintained for the proposed use and various other enhancements will be made for security, the spirit and intent of the zoning requirement will be observed.



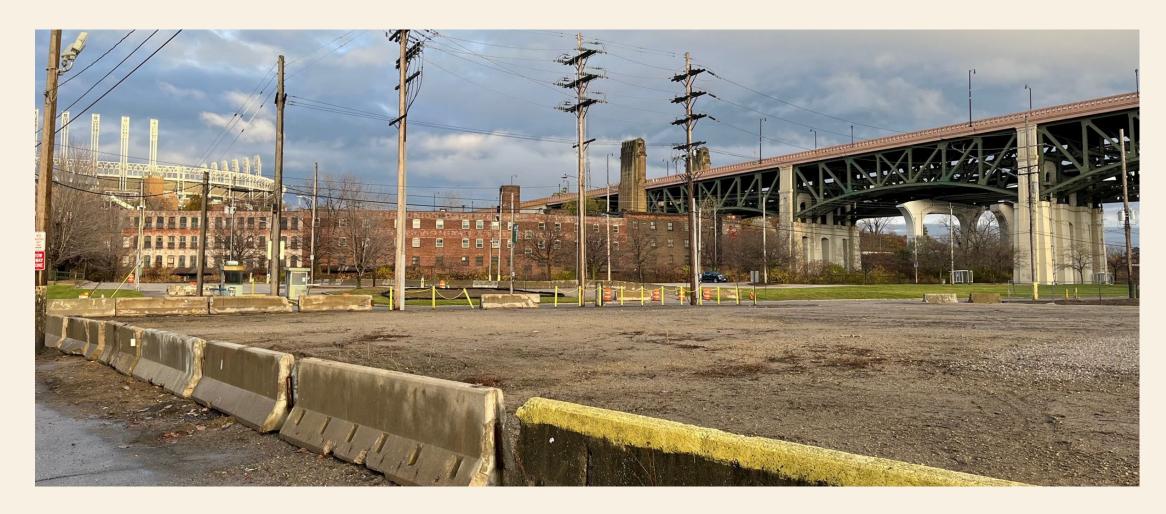
PROPERTY AS PURCHASED



CONDITIONS WHEN PURCHASED



THE CURRENT STATE OF THE SITE: SINCE ACQUIRING, BEDROCK HAS CLEANED UP EXISTING DEBRIS AND MADE THE SITE MORE DESIRABLE.



THE CURRENT STATE OF THE SITE: SINCE ACQUIRING, BEDROCK HAS CLEANED UP EXISTING DEBRIS AND MADE THE SITE MORE DESIRABLE.



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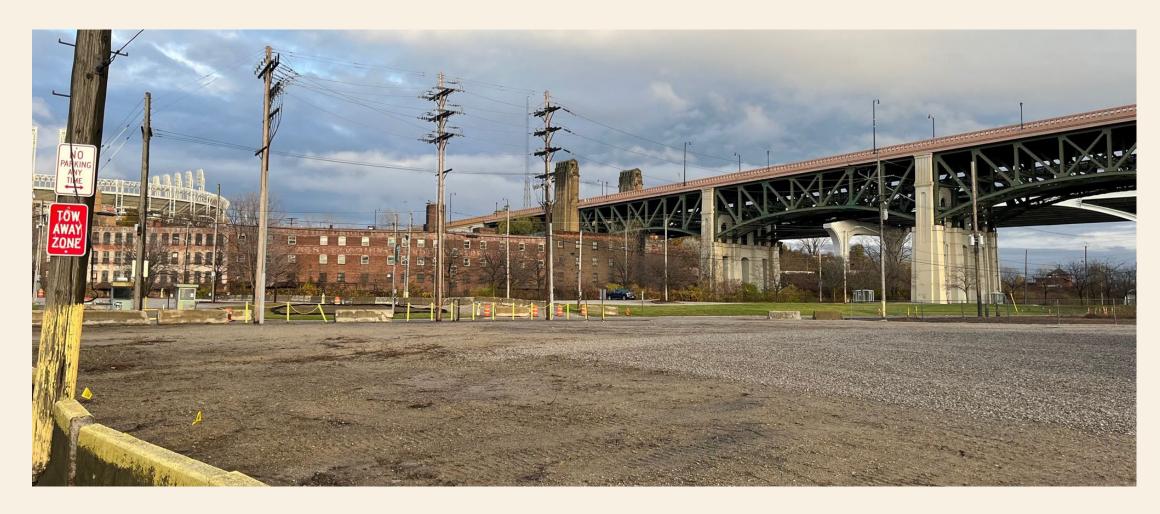
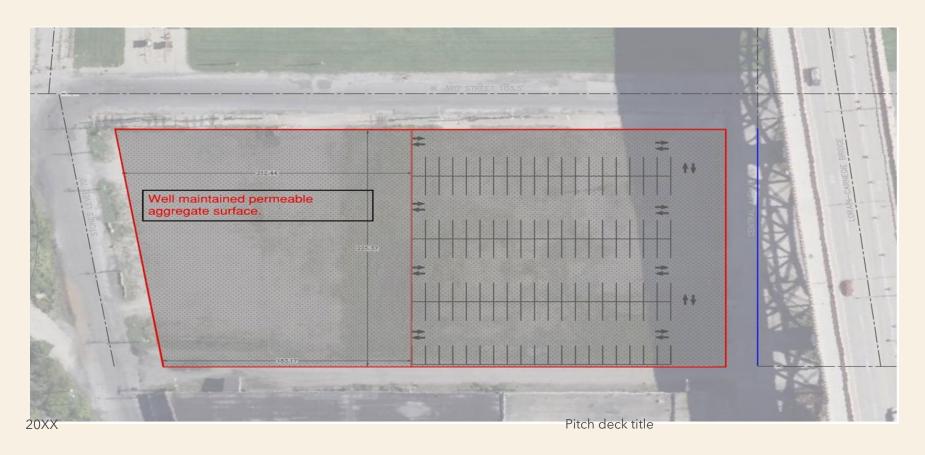
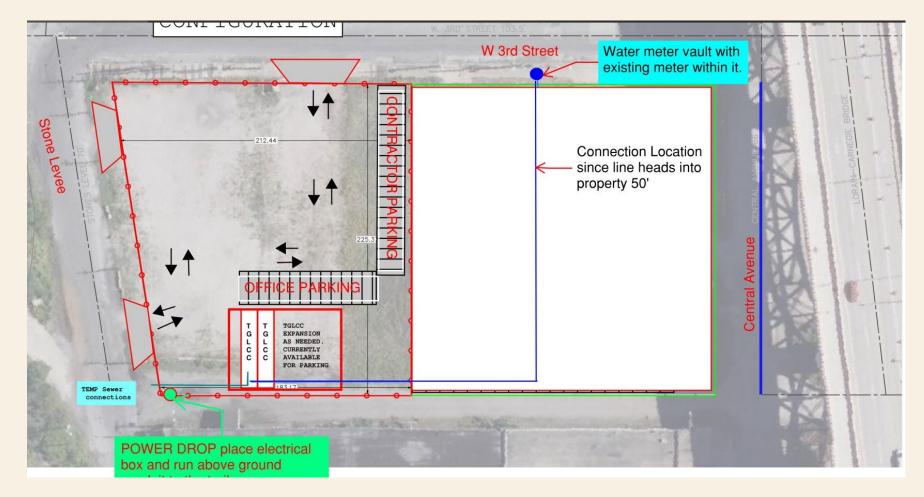


EXHIBIT (A) AGGREGATE SURFACE IS PERMEABLE AND WILL BE MAINTAINED TO RESTRICT RUNOFF.



49

EXHIBIT (B) PROPOSED LAND USE PLAN, UTILIZING EXISTING UTILITIES AND DRIVE APRONS.



Public Hearing

Calendar No. 23-198:

2022 West 45 St.

Ward 3

Betley Books LLC., owner, proposes to change of use from residential to office use in a Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.03 which states that office use is not permitted in the Two-Family District as it is first permitted in Local Business District.





Calendar No. 23-198:

2022 West 45 St.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with <u>I DO,YOUR NAME and YOUR ADDRESS.</u>

Calendar No. 23-198:

2022 West 45 St.

Ward 3



HISTORY OF THE PROPERTY



Calendar No. 23-198:

2022 West 45 St.

Ward 3



LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting a use variance from the requirements of the zoning code.

To obtain the use variance, Appellant must prove that denying the request:

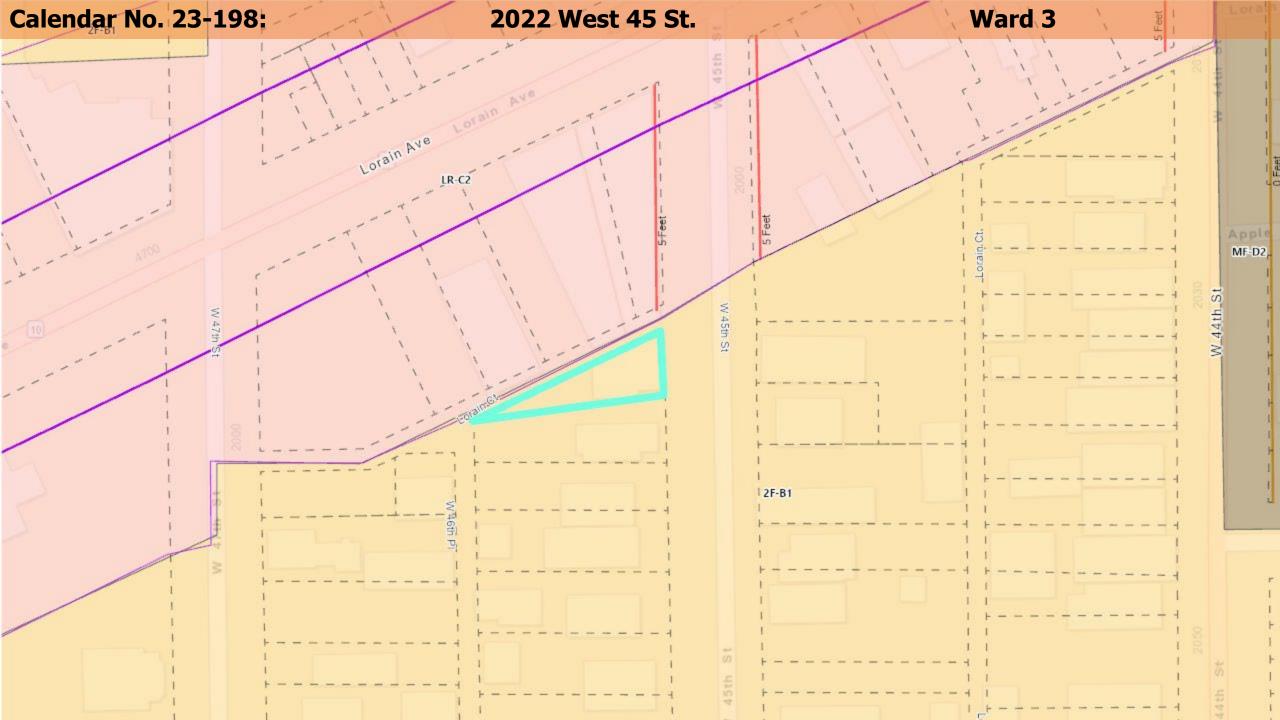
- 1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
- 2. Will deprive the Appellant of substantial property rights; and
- 3. That granting the variance will not be contrary to the purpose and intent of the zoning code.











From: AL&BETH MANCUSO <albethfam@sbcglobal.net> From: Graham Binnig <gxb198@case.edu> Sent: Wednesday, November 15, 2023 7:21:03 PM (UTC+00:00) Monrovia, Reykjavik Sent: Thursday, November 16, 2023 9:05:32 PM (UTC+00:00) Monrovia, Reykjavik To: Board of Zoning Appeals To: Board of Zoning Appeals <BoardofZoningAppeals@clevelandohio.gov> Subject: Letter of support: Calendar No. 23-198: 2022 w45th Subject: Letter of support: Calendar No. 23-198: 2022 w45th [You don't often get email from albethfam@sbcglobal.net. Learn why this is important at You don't often get email from gxb198@case.edu. Learn why this is important https://aka.ms/LearnAboutSenderIdentification] Good afternoon. I support Betley Books LLC receiving their appeal request. I am in complete support of Betley Books LLC receiving their appeal request. I support their request to have an office at 2022 West 45th. I support their request to have an office in 2022 West 45th. Thank you, Thank you **Graham Binnig Beth Mancuso** 2031 West 45th St 2037 West 45th St Cleveland, Oh 44102 216-225-5100 From: Brian Lockhart < lockhart211@yahoo.com> Sent: Friday, November 17, 2023 12:02:12 PM (UTC+00:00) Monrovia, Reykjavik To: Board of Zoning Appeals Subject: Calendar of support no. 23-198 [You don't often get email from lockhart211@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification] Hello: My family and I have no objection to Betley Books LLC receiving their appeal approval for the use of an office at 2022 W 45th st. We look forward to them as new neighbors! Thanks for taking the time Brian M Lockhart 2032 W 45th St Cleveland, Ohio 44102

216-317-7051

INTERIOR DEMOLITION & USE-GROUP CHANGE

2022 W.45TH AVE. - CLEVELAND, OH 44102

OWNER

-ROOM NAME - ROOM NUMBER

SHEET NUMBER

WALL SECTION/

-SHEET NUMBER

- SHEET NUMBER -ELEVATION NUMBER

-SHEET NUMBER

BETLEY BOOKS, LLC PHONE: 216.701.0809

GENERAL CONTRACTOR

ENGELKE CONSTRUCTION SOLUTIONS. LLC PHONE: 440.591.0660

ARCHITECT

AODK, INC. 14394 DETROIT AVENUE LAKEWOOD, OHIO 44107 PHONE: 216.771.1920

ABBREVIATION LEGEND:

AFF	AROVE FINISH ELOOR	MAY	MAXIMUM
A.C.T.	ACOUSTICAL CEILING TILE	MECH.	MECHANICAL
ALUM.	ALLIMINUM	MTL.	METAL
APPROX.	APPROXIMATE	MIN.	MINIMUM
RD.	BOARD	MLDG	MOULDING
BU.	BUARD	MLUU.	HOULDING
B.O.	BOTTOM OF	MTD	MOUNTED
BLKG	BLOCKING	MEGR	MANUFACTURER
RM	REAM	NIC	NOT IN CONTRACT
C.T.	CERAMIC TILE	N.T.S.	NOT TO SCALE
CLG.	CEILING	DA	OVERALL
	CLICINO		OTENACE
CL.	CENTER LINE	0.0.	ON CENTER
C.J.	CONTROL JOINT	0.0.	OUTSIDE DIMENSION
CLR.	CLEAR DIMENSION	OPN'G	OPENING
CMU	CONCRETE MASONRY UNIT	PLAS.	PLASTER
COL.	COLUMN	PLAM.	PLASTIC LAMINATE
CONC.	CONCRETE	PTD.	PAINTED
CONTR.	CONTRACTOR	PLUMB.	PLUMBING
CPT.	CARPET	R.	RISER
D.S.	DOWN SPOUT	R.D.	ROOF DRAIN
DBL.	DOUBLE	R.O.	ROUGH OPENING
DTL.	DETAIL	REF.	REFER TO
DN.	DOWN	REFL. CLG.	REFLECTED CEILING
DWG (S)	DRAWINGS	REINF.	REINFORCED
EA.	EACH	R.G.	RETURN GRILLE
ELEC.	ELECTRICAL	RFG.	ROOFING
ELEV.	ELEVATION	SCHED.	SCHEDULE
EQ.	EQUAL	SHT. NO.	SHEET NUMBER
EX.	EXISTING	SECT.	SECTION
EXP. JT.	EXPANSION JOINT	STL. FR	STEEL FRAME
FIN.	FINISH	STRUCT.	STRUCTURAL
FLR.	FLOOR	S.G.	SUPPLY GRILLE
G.B.	GLASS BLOCK	SUSP. CLG.	SUSPENDED CEILING
GL.	GLASS	SIM.	SIMILAR
GYP. BD.	GYPSUM BOARD	T.	TREAD
H.M.	HOLLOW METAL	T.O.	TOP OF
H.P.	HIGH POINT	TYP.	TYPICAL LINE ESS NOTED OTHERWISE
HT.	HEIGHT	V.I.E.	
HR.	HOUR	VII.F.	VERIFY IN FIELD
I.D.	INSIDE DIMENSION		VINYL
INSUL.	INSULATION	YNR.	VENEER
IST. RRG.	JOINTS REARING	V B	VAPOR BARRIER
LP.	LOW POINT	WWF	WELDED WIRE FABRIC
M.D.	MASONRY OPENING	w.w.r.	WITH
M.D. MAS	MASONRY OPENING MASONRY	WD.	WITH
MAS.	MASONRY	WD.	WOOD WORK POINT
MAIL	MATERIAL	W.P.	WURK PUINT

WIN. WT. WINDOW

SITE LOCATION MAP

GENERAL DRAWING INDEX

a0.0 COVER SHEET / SITE PLAN

ARCHITECTURAL DRAWING INDEX

a1.1 EXISTING LOWER LEVEL PLAN, FIRST FLOOR DEMO PLAN. & EXISTING ROOF PLAN

O.B.C. CODE DATA:

BUILDING AREA DESCRIPTION:

977 SQ. FT.

BUILDING CODE:

VB (EXISTING TO REMAIN CONSTRUCTION TYPE:

OCCUPANT LOAD:

_PROJECT



a°dk



2022 W45TH STREET INTERIOR DEMONTE ON SE GROUP CHANGE

2022 WEST 45TH STREET CLEVELAND, OHIO 44 VIZ DEMO/USE CHANGE PERMIT 09.28.202

a0.0

GENERAL NOTES:

PT-1 C-2 VB-1

SYMBOL LEGEND:

DOOR NUMBER SCHEDULE (A9.1)

WALL TYPE

- FI EVATION NOTE

- DEMOLITION NOTE

INDICATOR

- 1 ALL WORK SHALL CONFORM TO THE ORC AND OTHER APPLICABLE FEDERAL, STATE, AND LOCAL CODES.
- 2. CONTRACTOR IS TO VERIFY ALL EXISTING FIELD CONDITIONS PRIOR TO BEGINNING WORK & NOTIFY ARCHITECT OF ANY
- 4. DIMENSIONS SIZES LOCATIONS DISTANCES ETC. ARE NOT TO BE SCALED FROM DRAWINGS.
- MATERIALS EXPOSED TO RETURN AIR PLENUMS SHALL BE NON-COMBUSTIBLE OR SHALL HAVE A FLAME SPREAD INDEX OF 25 AND A SMOKE DEVELOPMENT INDEX OF NOT MORE THAN 50.

- 6. INSTALLATIONS OF ALL INTERIOR FINISH MATERIALS TO COMPLY WITH THE ORC

7. ALL FURNITURE TO BE PROVIDED BY OWNER, UNLESS OTHERWISE NOTED.

GENERAL DEMOLITION NOTES:

- ALL EXISTING WALLS AND DOORS TO REMAIN ARE SHOWN AS A SOLID LINE, "TO REMAIN" INDICATED ANY ITEMS NOT TO BE ALTERED DEMOLISHED OR REMOVED. THESE ITEMS ARE TO BE CAREFULLY LEFT INTECT, IN THEIR ORIGINAL POSITION AND PROTECTED THROUGHOUT THE PROCESS.
- 3. EXISTING PERIMETER WALLS AND ALL LOAD BEARING ELEMENTS TO REMAIN.
- IN AREAS INDICATED ON REFLECTED CEILING PLAN. DEMO EXISTING SUSPENDED CEILINGS AND ALL MISC. HANGING DEVICES, TIES, CABLES, ETC. FOR CLEAN STRUCTURE.
- 5. DEMO ALL EXISTING CARPET AND MISC. FLOORING.
- CONTRACTOR TO EXHIBIT REASONABLE CARE WHEN REMOVING WALLS ADJACENT TO EXISTING WALLS AND COLUMNS TO REMAIN.
 ALL TRANSTIONS BETWEEN DEMO WALLS AND EXISTING WALLS TO REMAIN ARE TO BE CLEAN AND PREPARED FOR FILLING & PATCHING.
- CONTRACTOR TO CONSULT WITH OPERATIONS MANAGER PRIOR TO DEMOLITION TO DETERMINE IF ANY ITEMS ARE TO BE SALVAGED, AND ANY HANDLING AND STORAGE REQUIREMENTS.
- DEMOLITION CONTRACTOR WILL BE RESPONSIBLE FOR THE REPAIR OR REPLACEMENT OF ANY NEW DAMAGE TO EXISTING ITEMS TO REMAIN
- NO PROTECTION PROVIDE TRANSPORTED TO EXAMINE THE TO EXAMINE THE TO A SERVICE TO A REQUIRED TO PROTECT THE PERSONNEL AND GENERAL PUBLIC FROM INJURY THAN THE PERSONNEL AND GENERAL PUBLIC FROM INJURY THAN THE PERSONNEL AND GENERAL PUBLIC FROM INJURY THAN THE PERSONNEL AND GENERAL PUBLIC FROM THE PERSONNEL THAN THE TO REMAIN PROTECT FROM GAMMAGE, ALL EXISTING FROM THAN THE TO REMAIN PROTECT FROM COMMITTED THAN THE PERSONNEL PROTECT ALL PLODES TO REMAIN WITH SUITABLE COVERINGS WHICH INVESTIGATE COVERINGS
- PROTOS TO COMPANIO, CALLET DE SELECTIVE DEMOLITIONS INSPECT AREAS BY PROTOS TO COMPANIO, CALLET DE SELECTIVE DEMOLITIONS INSPECT AREAS SE STATUTORES, SURPACES, EQUIPMENT OR SURPACIONDO PROPORTIES WHICH COULD DE MESCAPITUDO GADAMANE DES UN TOR PROPOSE CELL'EST CHITTON DE COULD DE SELECTIVE DE COULD DE SELECTIVE DE COULD DE COU
- CONDITIONS SEEF-AST EXODING OF PRILITION.

 JOSPHOAL OF DOWNLOWS THAT THE ANY CEREST STREETH AND OTHER MATTERS, SEGLI, THE FROM DOWNLOTH CONTRACTORS FROM THE BRILDING SITE TRANSPORT AND LISALLY DESPITE OF HEAT MATTERS, OF THE HIP OPERATIONS. CEREST SEED OF THE HIP OPERATIONS. CEREST WORK IN THAT AREA AND NOTITY THE GOWERY AND ADMINISTRATION OF THE HIP OPERATIONS. CEREST WORK IN THAT AREA AND NOTITY THE GOWERY ADMINISTRATION OF THE HIP OPERATIONS. CEREST WORK IN THAT AREA AND NOTITY THE GOWERY ADMINISTRATION OF THE ADMINISTR

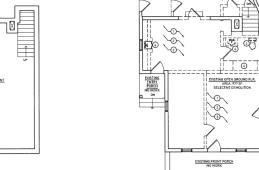
DEMOLITION KEY NOTES:

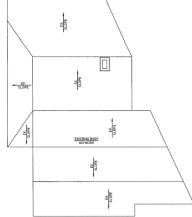
- REMOVE ALL EXISTING, NON-LOAD BEARING INTERIOR WALLS: INCLUDING ALL INTERIOR DOORS, WINDOWS, AND THEIR ASSOCIATED JAMBS AND HARDWARE
- 2 REMOVE ALL EXISTING FLOORING DOWN TO THE ORIGINAL WOOD DECKING
- REMOVE ALL EXISTING CEILINGS TO EXPOSE EXISTING STRUCTURAL MEMBERS

ŝ

A REMOVE EXISTING PLUMBING FIXTURES AND CAP OFF EXISTING PLUMBING LINES







EET USE GROUP (⊘ ∞ 2022 W45TH ST INTERIOR DEMOLITION

2022 WEST 45TH STREET CLEVELAND, OHIO 44 922 DEMO / USE CHANGE PERMIT 09.28.202

23.47 DEMOLITION PLANS

a1.1

EXISTING BASEMENT SCALE: 3/16" = 1'-0"

GROUND FLOOR DEMO PLAN SCALE: 3/16" = 1'-0"

EXISTING ROOF FLOOR PLAN

SCALE: 3/55" + 1'-0" 3 EXISTING ROOF FLOOR PLAN
SCALE: 2/16" = 1'-0"

Public Hearing

Calendar No. 23-201:

3911 John Ave.

Ward 3

Brian & Emily Mustee, proposes to build a garage addition with upper media room and roof deck to an existing single-family residence located in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 350.01(a) which states as colored method without special parent from the Board of Zaning

1.Section 359.01(a) which states no enlargement or substitution or other change a nonconforming useis permitted without special permit from the Board of Zoning Appeals. Minimum rear yard setback of 20 feet is required and the proposed rear yard is 7 feet 4 inches. Maximum allowed density is equal to 50 percent of the total square footage of the lot and the appellant is proposing 80 percent.





Calendar No. 23-201:

3911 John Ave.

Ward 3



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with <u>I DO,YOUR NAME and YOUR ADDRESS.</u>

Calendar No. 23-201:

3911 John Ave.

Ward 3



HISTORY OF THE PROPERTY



Calendar No. 23-201:

3911 John Ave.

Ward 3



LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting area variances from the minimum rear yard setback and maximum allowed density requirements of the zoning code.

To obtain the area variances, Appellant must prove that denying the request:

- 1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
- 2. Will deprive the Appellant of substantial property rights; and
- 3. That granting the variances will not be contrary to the purpose and intent of the zoning code.













PROJECT INFORMATION ADDRESS: 3911 JOHN AVENUE CLEVELAND, OHIO 44113

PPN: 003-30-064

OWNERS: BRIAN & EMILY MUSTEE

ARCHITECT: ANTONIA MARINUCCI, RA (OHIO, ARC.1516390)

SCOPE OF WORK

- ATTACH GARAGE, MEDIA ROOM, AND ROOF DECK
ADDITION TO SINGLE-FAMILY HOME. NEW WORK TO
INCLUDE: EXTERIOR SIDING; ROOF, GUTTERS, AND DOWNSPOUTS; NEW FOUNDATION AND SLAB AT ADDITION; INTERIOR FRAMING; MECHANICAL, ELECTRIC, AND PLUMBING SYSTEMS; INSULATION; INTERIOR DOORS; ENTRY AND GARAGE DOORS; WINDOWS; FINISH WORK.

- DRAWING INDEX G-1 GENERAL INFO, SITE PLAN G-2 SCHEDULES, DETAILS, SPECIFICATIONS

- STRECTURE SET TO STATE OF THE STREET STATE OF THE S
- A-5 EXTERIOR ELEVATIONS
- A-6 BUILDING SECTIONS A-7 BUILDING SECTIONS

GENERAL NOTES

- GENERAL NOTES

 1. ALL NEW WORK SHALL COMPLY WITH THE 2019 OHIO
 RESIDENTIAL CODE AND CURRENT CITY OF CLEVELAND
 ORDINANCES.
- ORDINANCES.

 CONTRACTORS SHALL ACQUIRE & PAY FOR ALL PERMITS.

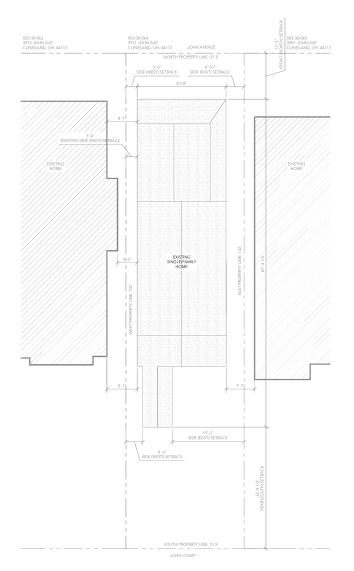
 CONTRACTORS SHALL COMPLY WITH OHIO REVISED CODE

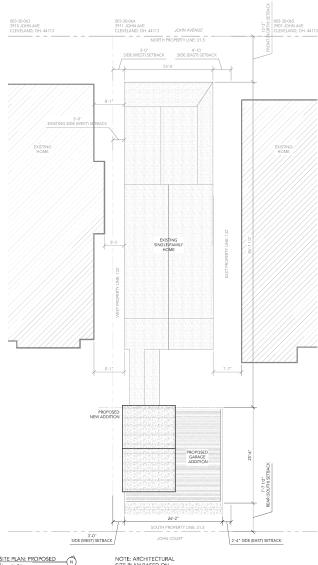
 CHAPTER 4722: HOME CONSTRUCTION SUPPLY SERVICES
- WORK WILL QUALIFY FOR CITY OF CLEVELAND TAX ABATEMENT PER THE ENTERPRISE 2015 GREEN COMMUNITIES CRITERIA AND CLEVELAND GREEN
- BUILDING STANDARDS.
 WORK WILL BE IN COMPLIANCE WITH THE SECRETARY OF INTERIORS STANDARDS FOR REHABILITATION AS APPROVED BY THE CITY OF CLEVELAND LANDMARKS COMMISSION.

- IN COMPLIANCE WITH 2019 RESIDENTIAL CODE OF OHIO
 OBC CONSTRUCTION TYPE 5B

ZONING

SITE AREA: EXISTING BUILDING AREA: PROPOSED ADDITION: 4160 SF 2590 SF 735 SF PROPOSED BUILDING AREA: PROPOSED PERCENTAGE OF SITE: 3325 SF 80% 29'-4" PROPOSED HEIGHT:





CLIENT/OWNER: BRIAN & EMILY MUSTEE PROJECT ADDRESS: 3911 JOHN AVENUE CLEVELAND, OHIO 44113 ARCHITECT: ANTONIA A. MARINUCCI, RA ARCHITETTA, LLC the architetta GENERAL INFORMATION, SITE PLAN G-1

ISSUED FOR:

80% DRAFT

DATE:

07-10-202

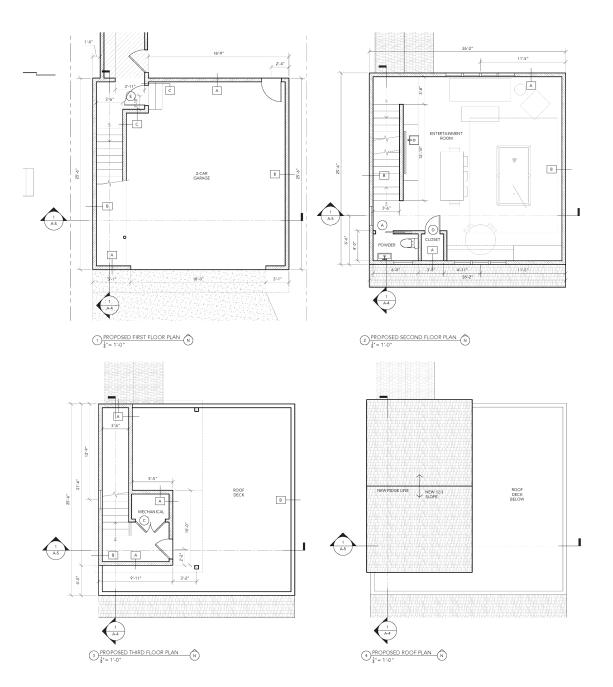
PROJECT LOCATION (N)

SITE PLAN: EXISTING

NOTE: ARCHITECTURAL SITE PLAN BASED ON COUNTY GIS MAPPING

3 SITE PLAN: PROPOSED N

SITE PLAN BASED ON COUNTY GIS MAPPING



GENERAL PROPOSED NOTES:

1. ALL DIMENSIONS AND EXISTING STRUCTURE ARE APPROXIMATE; TO BE CONFIRMED IN FIELD DURING

2. HATCHED WALLS REPRESENT NEW WALL LOCATIONS.

APPROXIMATE, 10 BE CONFINING IN FIELD DIRING
APPROXIMATE, 10 BE CONFINING IN FIELD DIRING
ALL NEW INTERIOR DOORS TO BE 2.6, 100.

5. TO MATCH EMISTING STYLE AND DIMENSIONS.
THO MATCH EMISTING STYLE AND DIMENSIONS.
THROUGHOUT HOME: GLAZING BELOW 18" AFF TO BE TEMPERED. TYP.
PER ROC. 310.2.5, REPLACEMENT WINDOWS
INSTALLED IN BUILDINGS MEETING THE SCOPE OF THIS CODE SHALL BE EXEMPT FROM THE MAXIMUM SIL HEIGHT REQUIREMENTS OF SECTION 310.2.1
AND THE REQUIREMENTS OF SECTION 310.2.1
PROVIDED THAT THE REPLACEMENT WINDOW MEETS
THE FOLLOWING CONDITIONS:
HEADERS SHALL BE AS FOLLOWS, UN.O.; ALL
HEADERS SHALL BE BEAR ON TWO STUDS MINIMUM:

OF THE PROVIDED HAS THE MAXIMUM SIL HEIGHT AND THE PROVIDED THAT THE REPLACEMENT WINDOW MEETS
THE FOLLOWING CONDITIONS:

HEADERS SHALL BE BEAR ON TWO STUDS MINIMUM:

OFFINING HEADER

4:0°-6:0° (2) 2X8
6:1'-10:0° (2) 2X10
8:1'-10:0° (2) 2X12

ISSUED FOR:

80% DRAFT

DATE:

CLIENT/OWNER: BRIAN & EMILY MUSTEE

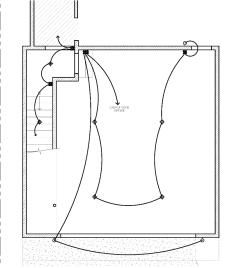
PROJECT ADDRESS: 3911 JOHN AVENUE CLEVELAND, OHIO 44113

ARCHITECT: ANTONIA A. MARINUCCI, RA ARCHITETTA, LLC

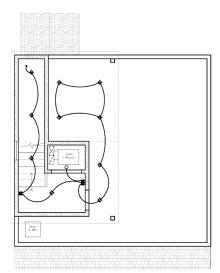
the architetta

SCHEDULES, DETAILS, & SPECIFICATIONS

A-1



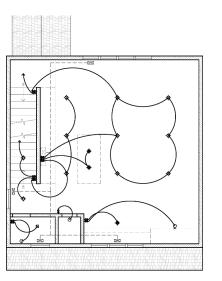




3 PROPOSED THIRD FLOOR PLAN

1/4" = 1'-0"

N



PROPOSED SECOND FLOOR PLAN N

- ELECTRICAL NOTES:

 1. PROVIDE ARC FAULT BREAKERS AND GFCI
 RECEPTACLES PER NATIONAL ELECTRICAL
- CODE.

 ALL LIGHT BULBS TO BE LED; 2700K IN ACCENT LIGHTING AND 3000K IN RECESSED LIGHTING

 ALL EXTERIOR LANTERNS TO BE ON TIMED SWITCHES.

- SWITCHES.

 4. EXTERIOR GFCI RECEPTACLE BOXES TO BE WHITE:

 3. ALL SMOKE DETECTORS AND SMOKE/CM COMBO TO BE HARDWIRED.

- COMBOT OF ENFARCEMENT.

 CONTRACTOR TO COMPLETE MANUALS S. 8. J. PRIOR TO INSTALLATION AND TO BE PROVIDED TO OWNER.

 SIZING OF DUCTS AND REGISTERS BY MECHANICAL CONTRACTOR.

 PLANS ARE DIAGRAMMATIC; ACTUAL SIZING AND LOCATION FER MECHANICAL CONTRACTOR TO BE VERIFIED IN FILED WITH OWNER & ARCHITECT OF DEVENIFIED IN FILED WITH OWNER & ARCHITECT OF BETT OF BE VERIFIED IN FILED WITH OWNER & ARCHITECT OF BETT OF BETT OF BETT OF BETT OF THE ENTEROOR BATTHOOM FAN TO BE PANASONIC WHISPERSENSE FAN, SO, 80-110 CFM.

 ROOF TO BE UNVENIFIED.

 ALL EXTERIOR BATTHOOM FAN TO BE PANASONIC WHISPERSENSE FAN, SO, 80-110 CFM.

- PLUMBING NOTES:

 1. PLACEMENT OF STACKS, VENTS AND RUNS TO BE VERRIFIED IN FIELD WITH OWNER & ARCHITECT.

 2. PLUMBING CONTRACTOR TO INSTALL PEX A OR
- PLUMBING CONTRACTOR TO INSTALL PEX A C
 B (RED AND BLUE).

 ALL EXTERIOR WALL PENETRATIONS TO BE
 BLACK.

LIGHT LEGEND:			
+	BATTON LIGHT		
4	SURFACE MOUNTED LIGHT		
•	PENDANT LIGHT		
¢	RECESSED LIGHT		
Ю	SCONCE LIGHT		
	BATHROOM EXHAUST FAN		
0	SMOKE DETECTOR		
0	THERMOSTAT		

O	O THERMOSTAT		
POWER	R LEGEND:		
	SWITCH		
0	DUPLEX		
₽,	COUNTER-HEIGHT DUPLEX		
•	GFCI DUPLEX		

ISSUED FOR: DATE: 80% DRAFT

CLIENT/OWNER: BRIAN & EMILY MUSTEE

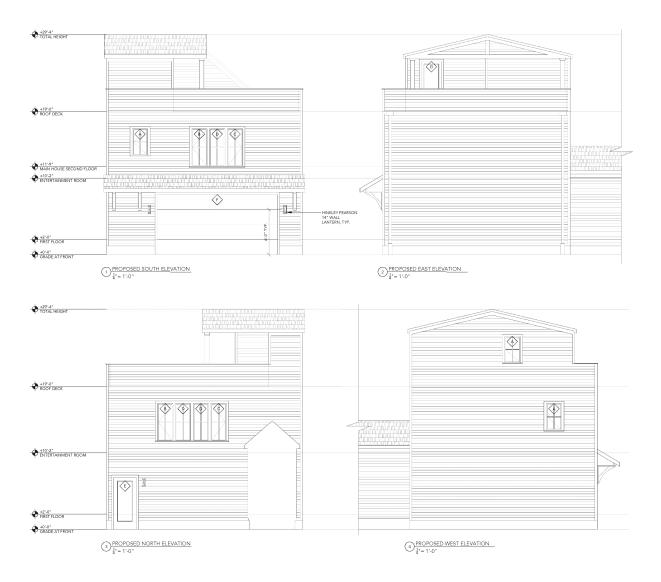
PROJECT ADDRESS: 3911 JOHN AVENUE CLEVELAND, OHIO 44113

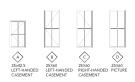
ARCHITECT: ANTONIA A. MARINUCCI, RA ARCHITETTA, LLC

the architetta

POWER & LIGHTING PLANS

A-2



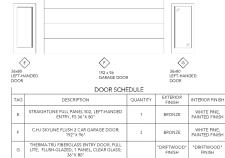


WINDOW SCHEDULE					
TAG	DESCRIPTION	QUANTITY	EXTERIOR FINISH	INTERIOR FINISH	
А	E-SERIES LEFT-HANDED CASEMENT, FS 25"X 42.5", RO 21.5"X39.5"; \$\vec{k}\$" PUTTY SDL EXTERIOR, SQUARE INTERIOR, TYP. MATTE WHITE CASEMENT PUSH OUT HANDLE	3	BRONZE	WHITE PINE, PAINTED FINISH	
В	E-SERIES LEFT-HANDED CASEMENT, FS 25*X 60", RO 22"X57.5"; 2" PUTTY SDL EXTERIOR, SQUARE INTERIOR, TYP. MATTE WHITE CASEMENT PUSH OUT HANDLE	2	BRONZE	WHITE PINE, PAINTED FINISH	
С	E-SERIES RIGHT-HANDED CASEMENT, FS 25°X 60°, RO 22°X57.5°; §° PUTTY SDL EXTERIOR, SQUARE INTERIOR, TYP. MATTE WHITE CASEMENT PUSH OUT HANDLE	2	BRONZE	WHITE PINE, PAINTED FINISH	
D	E-SERIES PICTURE, FS 25"X 60", RO 22"X57.5"; \$\frac{7}{3}\$ PUTTY SDL EXTERIOR, SQUARE INTERIOR, TYP.	3	BRONZE	WHITE PINE, PAINTED FINISH	

NOTES:

- ALL DIMENSIONS ARE APPROXIMATE FOR ESTIMATING PURPOSES.

- ALL DIMENSIONS SHOULD BE VERIFIED IN FIELD PRIOR TO ORDERING, SEE PLANS FOR LOCATION AND QUANTITIES.



NOTES:

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EXTERIOR MATERIAL SCHEDULE					
ITEM	DESCRIPTION	COLOR/FINISH	MANUFACTURE	REMARKS	
COMPOSITE SIDING	4" EXPOSURE LAP SIDING	SMOOTH FINISH, PRIMED FOR PAINT	JAMES HARDIE	REFER TO EXTERIOR ELEVATION DETAILS, INSTALLED PER MANUFACTURER INSTRUCTIONS	
CORNER TRIM	3.5° TRIM BOARD	SMOOTH FINISH, PRIMED FOR PAINT	JAMES HARDIE	REFER TO EXTERIOR ELEVATION DETAILS, INSTALLED PER MANUFACTURER INSTRUCTIONS	
WINDOW TRIM	3.5° TRIM BOARD	SMOOTH FINISH, PRIMED FOR PAINT	JAMES HARDIE	REFER TO EXTERIOR ELEVATION DETAILS, INSTALLED PER MANUFACTURER INSTRUCTIONS	
BRACKET	STANDARD 26" X 26" DOUGLAS FIR, TYP.	SMOOTH FINISH, PRIMED FOR PAINT	EKENA MILLWORK	REFER TO EXTERIOR ELEVATION DETAILS, INSTALLED PER MANUFACTURER INSTRUCTIONS	
WATER TABLE	4" TRIM BOARD	SMOOTH FINISH, PRIMED FOR PAINT	JAMES HARDIE	REFER TO EXTERIOR ELEVATION DETAILS, INSTALLED PER MANUFACTURER INSTRUCTIONS	
FLASHING	CONCEALED TO CREATE DRIP EDGE ABOVE WATER TABLE	COLOR TO MATCH PAINT SCHEDULE, COLORS TO BE SUBMITTED TO ARCHITECT FOR REVIEW	CERTAINTEED	INSTALL PER MANUFACTURER INSTRUCTIONS, SEE ELEVATION DETAILS. ARCHITECT TO VERIFY ON-SITE PRIOR TO INSTALL	
ROOFING	GAF DIMENSIONAL SHINGLE	BARKWOOD	TIMBERLINE	REFER TO EXTERIOR ELEVATION DETAILS, INSTALLED PER MANUFACTURER INSTRUCTIONS	

CLIENT/OWNER: BRIAN & EMILY MUSTEE

ISSUED FOR:

80% DRAFT

DATE:

PROJECT ADDRESS: 3911 JOHN AVENUE CLEVELAND, OHIO 44113

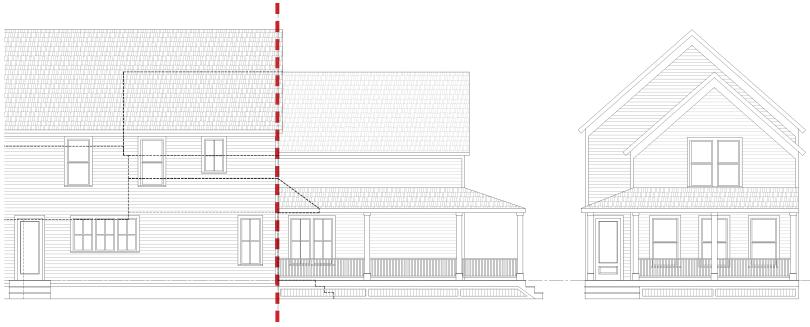
ARCHITECT: ANTONIA A. MARINUCCI, RA ARCHITETTA, LLC

the architetta PROPOSED ELEVATIONS AND SCHEDULES

A-3







Proposed modifications APPROVED 9/9/21





3911 John Avenue











SW 7016
Mindful Gray
Interior / Exterior
Location Number: 244-C2

porch



Side (east) facade

Front (north) facade

the architetta



John Court context (looking east)



John Court context (looking east)

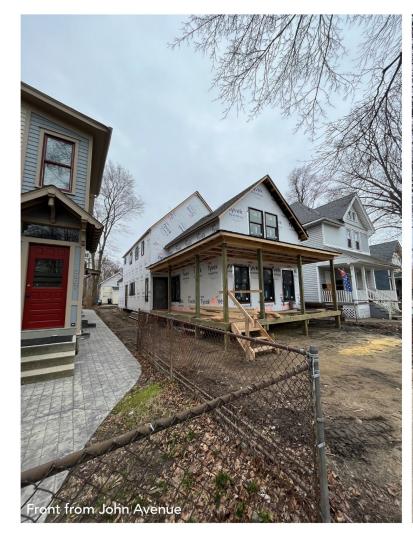


John Court context (looking west)



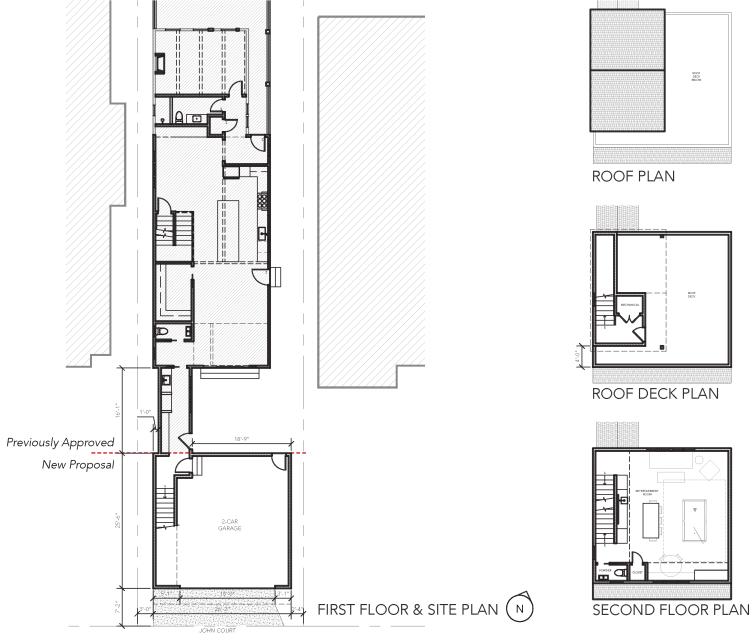








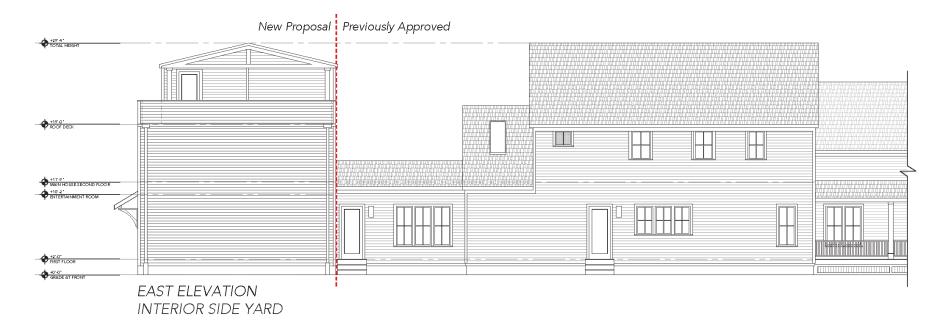
the architetta

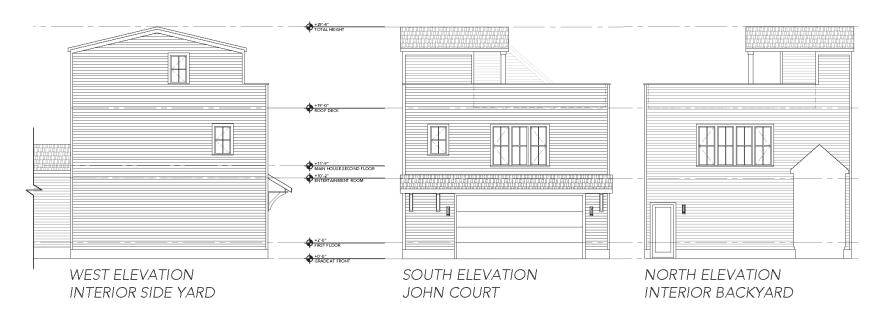


3911 John Avenue

Proposed plans







3911 John Avenue

Proposed elevations





the architetta



SOUTH ELEVATION JOHN COURT



SW 7011 Natural Choice Interior / Exterior Location Number: 254-C6









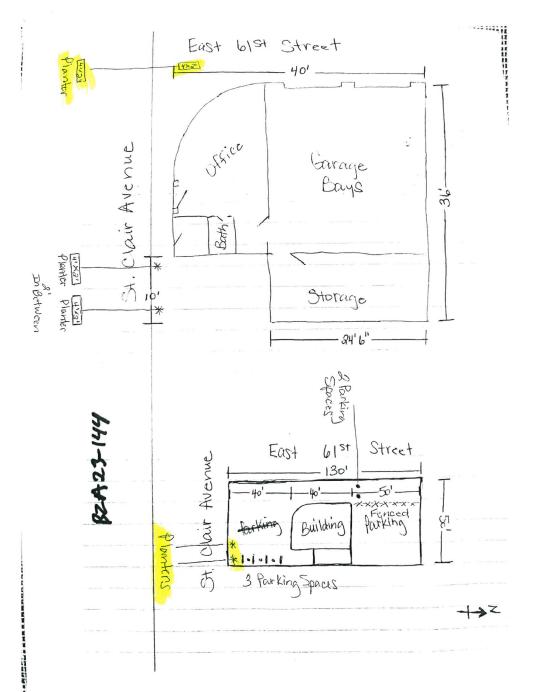
Hinkley Pearson wall lantern

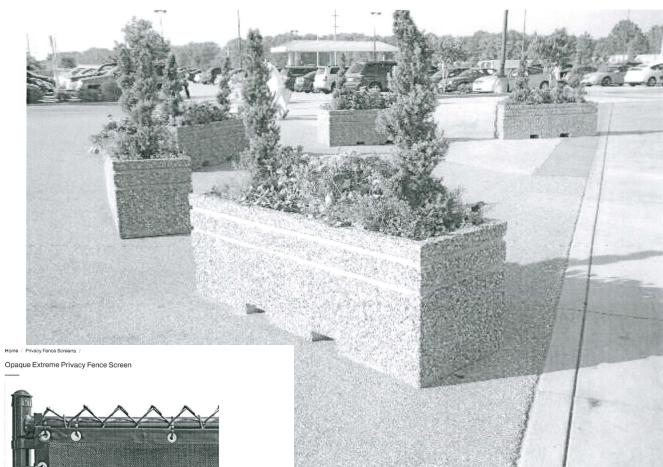


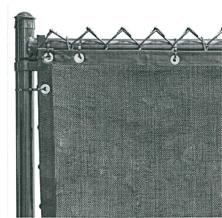
Cleveland Board of Zoning Appeals

Old Business











FenceBlock - 100 Series

Brand: D FenceScreen

100 Series FenceBlock is a top-selling fence screen due to its unique combination of high visibility blockage, lightw point. If budget and privacy are what your project requires, then this screen is an excellent choice.

Material color: Carbon Black

Public Hearing

1.	Cal. No. 23-144:	6101 St. Clair Ave.	(AF,TB,NH,PR,AW) ~hold
2.	Cal. No. 23-143:	18627 St. Clair Ave.	(AF,PR,NH,AW)*
3.	Cal. No. 23-167:	3800 Valley Ave.	(AF,PR,NH,AW)
4.	Cal. No. 23-191:	1125 East 99 th St.	(AF,PR,NH,AW)*
5.	Cal. No. 23-188:	4200 Bailey Ave.	(AF,TB,PR,AW)*
6.	Cal. No. 23-154:	2148 West 11 St.	(AF,PR,NH)*
7.	Cal. No. 23-155:	2150 West 11 St.	(AF,PR,NH)*
8.	Cal. No. 23-128:	3119 West 50 th St.	(AF,NH,PR,AW)*
9.	Cal. No. 23-082:	15432 St. Clair Ave.	(AF,NH, PR, AW)*
10.	Cal. No. 22-232:	12503 Kinsman Ave.	(KB, TB, AF, NH)*
11.	Cal. No. 22-018:	4420 East 156 St.	(KB,TB,AF,MB)* REMINDER SENT
12.	Cal. No. 21-203:	8502 Hough Ave.	(KB,TB,AF,MB)* PENDING LAND BANK
13.	Cal. No. 21-175:	780 London Rd.	(KB, TB, AF, MB) *pending land bank*

AFFIRMATION (s):

REHEARING REQUEST: NONE.

POSTPONING UPCOMING CASE:

MISC:

- ~ Items received
- * Pending the receipt of requested information by the Board.
- *** Request for Rehearing/Reconsideration.

Cleveland Board of Zoning Appeals

Adjournment

